

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BABY DOE *et al.*,

Plaintiffs,

v.

MAST *et al.*,

Defendants.

Civil Action No. 3:22-cv-49

UNITED STATES' MOTION TO SEAL

Non-party the United States moves the Court pursuant to Local Civil Rule 9 for leave to file under seal unredacted copies of exhibits A, I, and J cited in its Motion to Quash, filed today as ECF 389. In support thereof, the United States states as follows:

1. Exhibit A to the United States' Motion to Quash contains the name of Plaintiff John Doe's relative, which Plaintiffs have requested be redacted from public filing, consistent with the Court's prior pseudonym and sealing orders in this case. Accordingly, the United States seeks to file the unredacted version under seal to protect this identifying information. The requirements of Local Civil Rule 9(b) are therefore satisfied.
2. Exhibits I and J to the United States' Motion to Quash consist of unredacted certified copies of documents that are sealed on the docket of another case in this District, *Baby L v. Esper*, No. 3:20-cv-9 (W.D. Va. filed Feb. 26, 2020). The U.S. Secretary of State and Secretary of Defense, former nominal federal defendants in this case (now dismissed as parties), previously filed under seal as Exhibit A to their Jan. 9, 2023

Motion to Seal [ECF 132] the Order Modifying Pseudonym & Sealing Orders in that case, pursuant to which the United States may file unredacted copies of filings in *Baby L* in other cases involving the *Baby L* plaintiffs and child as, provided they are filed under seal. The Court subsequently further modified its pseudonym and sealing orders in that case to allow the United States to publicly acknowledge when the *Baby L* plaintiffs are parties in other cases involving the same child and to publicly identify the foreign country in which the child was found, the government to which she was transferred, and the *Baby L* plaintiffs' state of residence at the time they brought suit. *See* Ex. A at 1 (attached hereto). However, any public filings must still be redacted "in accord with the public versions of those records" on the *Baby L* Court's docket. *Id.* at 1. Accordingly, the United States has redacted the publicly-filed versions of Exhibits I and J in accord with the public versions of those documents in *Baby L* and seeks leave to file the unredacted versions under seal. The relief sought therefore is narrowly tailored to protect only the same information that has already been held to be properly under seal in another proceeding. The requirements of Local Civil Rule 9(b) are thus satisfied here.

April 30, 2024

Respectfully submitted,
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